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Promotion and protection of all human rights, civil political, economic, social and cultural rights, including the right to development

Panel discussion on unaccompanied migrant children and adolescents and human rights

Report of the United Nations High Commissioner for Human Rights

Summary

The present report is submitted pursuant to Human Rights Council resolution 33/7, in which the Human Rights Council decided to hold a panel discussion on unaccompanied migrant children and adolescents and human rights, the objective of which was to identify challenges and best practices by countries of origin, transit and destination, and possible joint efforts at all levels to protect the human rights of unaccompanied migrant children and adolescents, and requested the United Nations High Commissioner for Human Rights to liaise with States and all stakeholders, including relevant United Nations bodies, agencies, funds and programmes, treaty bodies, special procedures of the Human Rights Council, national human rights institutions and civil society, with a view to facilitating their participation in the panel discussion (see para. 5 of the resolution). The Council also requested the High Commissioner to prepare a report on the panel discussion in a form of a summary for submission at its thirty-sixth session (see para. 6 of the resolution). The present report summarizes the panel discussion on unaccompanied migrant children and adolescents and human rights that was held on 9 June 2017, during the thirty-fifth session of the Council.

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I. Introduction

1. Pursuant to its resolution 33/7, the Human Rights Council decided to convene at its thirty-fifth session a panel discussion on the theme "Unaccompanied migrant children and adolescents and human rights", the objective of which would be to identify challenges and best practices by countries of origin, transit and destination, and possible joint efforts at all levels to protect the human rights of unaccompanied migrant children and adolescents, and requested the United Nations High Commissioner for Human Rights to liaise with States and all stakeholders, including relevant United Nations bodies, agencies, funds and programmes, treaty bodies, special procedures of the Human Rights Council, national human rights institutions and civil society, with a view to facilitating their participation in the panel discussion (see para. 5 of the resolution). Furthermore, the Council requested the High Commissioner to prepare a report on the panel discussion in the form of a summary for submission to the Council at its thirty-sixth session (see para. 6 of the resolution).[1]

2. The panel discussion was held during the thirty-fifth session of the Human Rights Council, on 9 June 2017. It was chaired by Joaquín Maza Martelli, President of the Human Rights Council. The opening remarks were delivered by Zeid Ra'ad Al Hussein, United Nations High Commissioner for Human Rights.

3. The panel was moderated by Peggy Hicks, Director of the Thematic Engagement, Special Procedures and Right to Development Division, Office of the United Nations High Commissioner for Human Rights (OHCHR). The panellists were Benyam Dawit Mezmur, Member of the Committee on the Rights of the Child; Cristiana Carletti, Associate Professor of International Law, Roma Tre University; Lucio Melandri, Senior Emergency Advisor, United Nations Children's Fund (UNICEF); Obiora Chinedu Okafor, Member of the Human Rights Council Advisory Committee; and Gholamreza Hassanpour, a former unaccompanied migrant youth, who was assisted by Katerina Giannikopoulou, Social Worker, Greek Council for Refugees.

4. The panel aimed to allow for exchanges of views, challenges, best practices and joint efforts, by countries of origin, transit and destination, on the protection of the human rights of unaccompanied migrant children and adolescents. The discussion was an opportunity for States Members of the United Nations, international organizations, non-governmental organizations, national human rights institutions and other relevant stakeholders to discuss issues in relation to the effective protection of the human rights of unaccompanied migrant children and adolescents, with a focus on practices that respected and promoted the principle of the best interests of the child. The discussion also provided an opportunity for the panellists and participants to consider and recommend concrete ways to include the human rights of unaccompanied migrant children and adolescents within the global compact for safe, orderly and regular migration.

5. Migrant children and adolescents, in particular those who are unaccompanied or separated from their families, can be at heightened risk of human rights violations at various points in their migratory journey, in countries of origin, transit and destination. During their journey, children may be exposed to crimes and human rights abuses, including theft, kidnapping and extortion, denial of access to health, education, food, water and housing, violence and physical abuse, and forced labour, as well as sexual exploitation and abuse. In its resolution 33/7, the Human Rights Council expressed deep concern in that regard, and highlighted the fact that the protection and assistance needs of many unaccompanied migrant children, often including their most basic needs, have not yet been met.

6. The drivers for such movements are multiple and intertwined, and may include extreme poverty, lack of access to fundamental human rights such as education, health and

[1] The full video of the panel discussion is available from http://webtv.un.org/meetings-events/human-rights-council/watch/panel-discussion-on-unaccompanied-migrant-children-12th-meeting-35th-regular-session-human-rights-council/5466188996001#full-text.

decent work, the search for family reunification, the death of one or both parents, the consequences of climate change, natural disaster and environmental degradation, all forms of violence, and lack of personal safety.

7. In the landmark New York Declaration for Refugees and Migrants, adopted in September 2016,[2] Member States recognized the special needs of migrants in vulnerable situations, including children, especially those who are unaccompanied and separated from their families, and committed to protecting their human rights and fundamental freedoms, regardless of their status, giving primary consideration at all times to the best interests of the child. Furthermore, Member States made a number of concrete commitments on human rights issues related to unaccompanied children and those separated from their families, including to refer their care to the relevant national child protection authorities and other relevant authorities; to provide for basic health, education and psychosocial development; to ensure the registration of all births on their territories; to ensure that all children are receiving education within a few months of arrival; to prioritize budgetary provision to facilitate access to education after arrival; and to strive to provide refugee and migrant children with a nurturing environment for the full realization of their rights and capabilities. In addition, Member States committed themselves to comply with the obligations set out under the Convention on the Rights of the Child.

8. In the New York Declaration, Member States agreed to develop in 2018 a global compact for safe, orderly and regular migration, which would set out principles and commitments regarding international migration in all its dimensions. The resolution establishing the modalities of the process[3] invites Member States to also take into consideration, in the consultation phase, their perspectives with regard to the complex interrelationship between migration and all human rights, to gender equality and to the needs of migrants in vulnerable situations, and perspectives involving migrant children and youth, including unaccompanied migrant children, in order to promote a comprehensive understanding of international cooperation and migration governance in all its dimensions.

II. Opening remarks

9. The High Commissioner, Zeid Ra'ad Al Hussein, welcomed the Council's attention to the urgent subject of human rights violations suffered by many unaccompanied migrant children and adolescents. He noted reports of UNICEF that the global number of children on the move on their own had reached a record high. At least 300,000 unaccompanied and separated children had been recorded in some 80 countries in 2015 and 2016, up from 66,000 in 2010 and 2011. Many of those children were fleeing situations of conflict and violence, while others were escaping poverty, discrimination and the consequences of natural disasters and climate change. Some of them migrated entirely independently, hence they were extremely vulnerable to smugglers and traffickers as well as to various violations of their human rights.

10. The High Commissioner expressed his concern that migration governance systems had failed to take into account children's views, which heightened the risks faced by children, who were determined to continue in order to reach their intended destination. He stressed that the best interests of the child must guide all relevant policies, including with regard to age assessments, entry, stay and expulsion, access to basic services, family reunification and appointment of guardians. The High Commissioner urged in-depth determination of each child's need for protection, and of the harm that may result from deportation. If a child was sent back to the same conditions that had compelled his or her departure, the result may be repeat migration through increasingly dangerous routes. He also expressed concern at the shockingly inadequate conditions faced by children in immigration detention, noting that the detention of children because of their or their parents' migration status was never in the best interests of the child and that it always constituted a human rights violation.

[2] See General Assembly resolution 71/1.

[3] Ibid., annex II.

11. The High Commissioner reminded Member States that in the landmark New York Declaration, adopted in 2016, they had acknowledged the particular vulnerability of all migrant children, especially those who were unaccompanied. States had committed themselves to ensuring the highest level of protection of those children. He informed Member States that OHCHR was leading the development, within the Global Migration Group, of principles and guidelines on migrants in vulnerable situations, which were aimed at ensuring meaningful protection of migrant children on the ground. He concluded that the global compact for safe, orderly and regular migration should aim to build a global framework that ensured that future generations were spared the hellish journeys that far too many boys and girls faced today.

III. Summary of the panel discussion

A. Contributions of the panellists

12. Benyam Dawit Mezmur, of the Committee on the Rights of the Child, emphasized that the issue of unaccompanied migrant children and adolescents was a global issue of the utmost importance. He cited the considerable share of unaccompanied persons among migrant minors on the perilous route from Libya to Italy: that share amounted to 92 per cent in 2016, up from 75 per cent in 2015. He reminded the Council of the current undertaking of the Committee on the Rights of the Child, which was producing a joint general comment with the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families on the human rights of children in the context of international migration. His speech focused on the same issue, and was structured around five areas of concern, namely age determination, reception and return, guardianship, exploitation, and access to justice and due process.

13. Mr. Mezmur emphasized that age determination played a decisive role in defining the scope of application of the Convention on the Rights of the Child. The outcome of that process could result in an individual being categorized either as an unaccompanied minor entitled to the protection provided by the Convention, or as an undocumented migrant. He also noted that, in a number of instances, the methods used for age assessment could be intrusive without providing conclusive results, and that such methods did not comply with the principle of the best interests of the child. He added that, pending the outcome of the process, each person whose age was being assessed should be treated as a child; in particular, the person should not be detained in countries that had prohibited the immigration detention of children.

14. With regard to reception and return, Mr. Mezmur emphasized that providing an adequate standard of living to unaccompanied minors was an obligation of the State. In particular, short-term reception and protection in shelters, but also longer-term assistance to support local integration and family tracing, should be made accessible to all, including children with disabilities, their parents and guardians, pregnant women and breastfeeding mothers. The right to an adequate standard of living should also prevail during the preparation of a child's return to the country of origin. In all those varied situations, child protection authorities should be involved in designing and implementing State policies. Moreover, clear and binding firewalls should be established between housing providers (public and private) and immigration enforcement authorities.

15. With respect to guardianship as well as to access to justice and due process, Mr. Mezmur stated that both were crucial to the well-being of unaccompanied migrant children and adolescents. In particular, family reunification rights should be expanded to persons under subsidiary protection; and families separated due to conflict or disaster should be reunited, in line with the child's best interests. Finally, he contended that the current migrant crisis underlined the limitation of child protection services in numerous countries. He called on States to increase the funding of these services, including by strengthening human resources. In his concluding remarks, he emphasized that given the fundamental role that the Convention on the Rights of the Child had played in times of humanitarian crises, it

was legitimate for States to use the Convention to guide their response to migratory movements.

16. Cristiana Carletti, of Roma Tre University, emphasized that all children, including unaccompanied minors, were entitled to have their human rights respected, and in particular to have their best interests taken as a primary consideration in host, transit and destination countries. Taken in conjunction with the Convention relating to the Status of Refugees, of 1951, that principle should be seen as reinforcing and expanding the Convention provisions for the protection of unaccompanied minors in instances where domestic protection alternatives were being assessed or when removal of a child to a "safe third country" or to the child's country of origin was being considered.

17. According to Ms. Carletti, the following measures can be put in place in order to address unaccompanied minors' basic needs: establishing appropriate identification and age assessment procedures in reception centres; recruiting personnel with specific skills to work alongside unaccompanied minors, including cultural mediators; adopting methodologies to trace family members so as to facilitate the implementation of family reunification programmes; assisting voluntary repatriation, using a case-by-case approach; and creating a specific data collection system, to include all essential information about each case. Moreover, Member States should persevere in their efforts to develop in 2018 a global compact for safe, orderly and regular migration.

18. Ms. Carletti cited as an example of good legislative practice the approval by the Italian Parliament of Act No. 47 of 7 April 2017, which provided new, comprehensive legislation on accompanied and unaccompanied minors, in compliance with Human Rights Council resolution 33/7. In particular, the Act repeated the principles formulated by the Committee on the Rights of the Child, such as its definition of "unaccompanied minors", and the principle of non-refoulement of unaccompanied minors at borders; reduced the maximum length of time that the identification process could take for unaccompanied minors; provided them with psychosocial support and with access to education and health care; created a list of voluntary guardians, managed by local communities; and ensured the direct participation of unaccompanied minors in decision-making processes concerning them.

19. Lucio Melandri, of UNICEF, noted that the number of children moving across international borders had been skyrocketing in the past decade. For example, in Europe alone, the number of children seeking asylum had multiplied almost tenfold between 2008 and 2016. Because the factors driving children to seek refuge, such as hunger, conflict, violence, poverty and climate shocks showed no sign of abating, migration flows were expected to remain constant or to grow.

20. States' migration management, depending on their inclination, could either contribute to protecting unaccompanied migrant children and adolescents or could increase the risks they were exposed to. For instance, sudden border closure measures and aggressive pushbacks could leave children in countries where they were not welcomed, or had few opportunities. Consequently, children could turn to smugglers, who ranged from people who were helping others in need, for a fee, to organized criminal networks that exploited and abused children.

21. Barriers to legal migration did not stop children from migrating but only pushed them underground, thereby making them more vulnerable to trafficking and exploitation. The lack of timely information, of guardians and of access to services, as well as weak child protection systems and inadequate law enforcement measures, worked in favour of traffickers and against the children. Moreover, even when unaccompanied migrant children were highly in need, their mistrust of institutions, and their fear of detention and deportation, prevented them from coming forward to seek protection and support.

22. Hence, UNICEF recommended that Member States: (a) protect child refugees and migrants, particularly unaccompanied children, from exploitation and violence; (b) end the detention of children seeking refugee status or migrating, by introducing a range of practical alternatives; (c) keep families together, as the best way to protect children and give children legal status; (d) keep all refugee and migrant children in education and give them access to good-quality health care and other services; (e) press for action on the

underlying causes of large-scale movements of refugees and migrants; and (f) promote measures to combat xenophobia, discrimination and marginalization.

23. The UNICEF representative concluded his speech by asserting that those recommendations were feasible, and gave the examples of a few "champion" countries for children, including Canada, Germany, Italy and Uganda. Italy had recently approved a model law on the protection and inclusion of unaccompanied asylum-seeking children. UNICEF also supported Member States' efforts in establishing alternatives to detention, such as foster families and group homes and the timely appointment of guardians.

24. Obiora Chinedu Okafor, of the Human Rights Council Advisory Committee, presented the study that the Advisory Committee had been mandated to conduct. Its goal was to provide a comprehensive analysis of the situation of unaccompanied migrant children and adolescents from a human rights perspective. For Mr. Okafor, it was impossible to stress enough the extent and depth of vulnerability of vast numbers of unaccompanied migrant children and adolescents. In one country, for example, three quarters of unaccompanied migrant children and adolescents had experienced violence, aggression and/or harassment at the hands of adults.

25. Some of the main human rights issues facing unaccompanied migrant children and adolescents were: trafficking for sexual and economic exploitation; brutality perpetrated both by law enforcement agents and by non-State actors; deprivations or violations of their rights to access basic education, health care, housing and other social protection measures; racial discrimination in some transit and destination countries; and gender-based discrimination and the increased risk of exploitation and/or violence faced by female unaccompanied migrant children and adolescents.

26. The forthcoming recommendations that would be issued by the Human Rights Council Advisory Committee included recommendations that Member States: (a) implement more effectively the existing domestic and international legal frameworks for the special protection of unaccompanied migrant children and adolescents; (b) bring their domestic regimes up to par with international human rights law, especially the Convention on the Rights of the Child and the jurisprudence of the Committee on the Rights of the Child; (c) reorientate their practice, from a predominantly "border control" approach that emphasizes too much the apprehension, detention and deportation of unaccompanied migrant children and adolescents, to the "best interests of the child" approach; (d) provide more special sensitivity training to border control and other relevant agents and/or staff on the situation, needs and treatment of unaccompanied migrant children and adolescents; (e) do more to treat unaccompanied migrant children and adolescents who pass through, or are otherwise on, their territories, much like they are supposed to treat their minor citizens who are in a vulnerable position; and (f) develop and keep more specific, and disaggregated, data on the situation of unaccompanied migrant children and adolescents in their territories.

27. Gholamreza Hassanpour, the former unaccompanied migrant child, assisted by Katerina Giannikopoulou of the Greek Council for Refugees, shared his experiences with the Council. He equated them to the experiences of unaccompanied minors throughout the world. Growing up in the Islamic Republic of Iran as an Afghan refugee had been extremely difficult for him, as he had not been able to access health care nor public education. At the age of 16, he had left his family and fled towards Europe. He had almost lost his life on numerous occasions during that dangerous journey. At the border between the Islamic Republic of Iran and Turkey, he had walked for ten nights and hidden inside caves in the mountains to avoid arrest, following a smuggler he had paid. He had entered Turkey in a small and overcrowded truck and had been arrested by the Turkish army, detained in a makeshift camp and subjected to rain and freezing temperatures. He had then been abandoned at the border and forced to surrender to traffickers, who had demanded that he buy his freedom back, which he had eventually managed to do.

28. From Turkey, Mr. Hassanpour had embarked on an overcrowded lifeboat in the middle of the night — to avoid coastguard patrols — and had arrived on Lesvos, in Greece. Thinking that he would be safe in Europe, he had turned himself in to the authorities and had been threatened and beaten up by Greek coast guards. He had then been brought to a detention centre, where children and adults were held together in very poor conditions.

There was only one toilet and one bathroom for fifty people. Detainees were allowed 30 minutes a day outside in the yard, and no contact with anyone on the outside.

29. He had eventually been released and had come to Athens, where he had shared a room with ten other Afghans, and had got a job as a tailor working 12 hours a day for a year. However, he had other aspirations, and had made contact with an association, which had helped him to learn the Greek language and to register in school. After seven years, his asylum application had been examined and he had been recognized as a refugee. He had recently acquired Greek citizenship. For the past six years, he had been an interpreter for the Greek Council for Refugees, helping to provide legal and social support to other unaccompanied child refugees and asylum seekers.

30. Mr. Hassanpour emphasized the great dangers that migrant children were facing across the world. Smugglers, traffickers, border guards, police, or even fellow travellers could take advantage of them. He made three concrete recommendations to the Member States: (a) Child protection officers should be present at every step of the migration journey to ensure that children's best interests are safeguarded. Child protection officers — not police or border guards — should be making decisions on what is best for unaccompanied children; (b) Children should have access to fundamental services such as interpretation, psychological support, education and health care. Where relevant, unaccompanied children should also have effective access to asylum procedures. There should be firewalls between children's access to these services and the migration enforcement functions of police and border guards; and (c) Children should be provided with adequate shelter and proper reception services, and immigration detention of minors should be suspended. Immigration-related detention was never in the best interests of the child.

II. Interactive discussion

31. Interventions were made during the plenary discussion by representatives of the European Union, Slovenia (also on behalf of Austria and Croatia), El Salvador (on behalf of the Community of Latin American and Caribbean States), Argentina, Sierra Leone, Mexico, France, Brazil, El Salvador, South Africa, the Council of Europe, Ecuador, the Holy See, the Plurinational State of Bolivia, the Russian Federation, Greece, Honduras, Colombia, Iraq, Turkey, Portugal, Fiji, Bulgaria, Pakistan (on behalf of the Organization of Islamic Cooperation), Libya, the United States of America, Jordan, the Bolivarian Republic of Venezuela and China. A small number of other participants requested the floor during the panel discussion but were unable to deliver their statements owing to a lack of a time. These included representatives of the following States: Luxembourg, Kyrgyzstan, Pakistan, the Philippines and Switzerland.[6]

32. The International Committee of the Red Cross made an intervention, as did the following non-governmental organizations and national human rights institutions: the International Detention Coalition, in a joint statement with Terre des Hommes Fédération Internationale and Save the Children International; Save the Children International; the American Civil Liberties Union; the Equality and Human Rights Commission (of the United Kingdom of Great Britain and Northern Ireland), in a joint statement with the Scottish Human Rights Commission and the Northern Ireland Human Rights Commission; Caritas Internationalis (the International Confederation of Catholic Charities), in a joint statement with the Associazione Comunità Papa Giovanni XXIII and with Dominicans for Justice and Peace – Order of Preachers; Defence for Children International, in a joint statement with the International Catholic Child Bureau; and the Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco, in a joint statement with the International Volunteer Organization for Women, Education and Development.

33. The following sections represent a brief and non-exhaustive summary of the interventions made from the floor during the discussion.

[6] The written interventions are on file with the Secretariat and are available for consultation.

34. Speakers emphasized that, above all, all children on the move were entitled to enjoy their human rights, and that they must be treated as children first and foremost. Protection should take place in accordance with international human rights standards, and especially in accordance with the Convention on the Rights of the Child. Thus, the best interests of the child should be a main consideration in any decision-making procedure, including with regard to age assessments, entry, stay and expulsion. Particular focus should be placed on the specific needs and vulnerabilities of migrant children and adolescents, as affirmed in the landmark New York Declaration. A robust gender analysis of the differential impacts of migration policies and programmes on migrant children of all genders was also essential, and procedural guarantees needed to be elaborated in order to address the rights and needs of unaccompanied minors. In a similar manner, the principle of non-discrimination should scrupulously be applied to all policies affecting migrant children and adolescents.

35. Speakers agreed that unaccompanied migrant children and adolescents constituted an extremely vulnerable group that was at an increased risk of grave human rights violations throughout their migration. Children often migrated not out of free choice, but in response to a reality aggravated by — inter alia — poverty, armed conflicts and the effects of climate change. Along hazardous migratory routes, both boys and girls were vulnerable to being trafficked and to other forms of abuse, exploitation and violence. They often had limited or no access to basic services, such as to education, health care and housing. As such, in many instances they were exposed to discrimination, exclusion and marginalization. Border control policies had also contributed to heightening the risks faced by migrant children, and some speakers noted that children were being denied protection at borders, including because they had been misidentified as adults. Speakers highlighted the need for all children to enjoy access to justice in the context of border management measures, including access to legal aid when this was necessary to avoid returns that were not in their best interests.

36. Participants emphasized that children must not be treated as criminals, and in that regard expressed concern that migrant children could be subjected to punitive policies as a result of their own migratory status or that of their parents. Speakers expressed the view that immigration detention of children should be avoided and alternatives should be pursued, taking into consideration the fundamental principle of the best interests of the child. Participants noted that even short periods of detention could have long-term effects on a child's development.

37. Speakers stressed that there was a need to enable the integration of migrant children in local communities, in order to ensure that they felt safe and welcome. Their non-discriminatory access to basic services was an important prerequisite in that regard. Language training and access to education were vital for migrant children's integration into society, and subsequently, also, their ability to access and contribute to domestic labour markets. The provision of documentation that met their needs and protected them from further vulnerability was another essential component in successful and rights-based integration.

38. Speakers shared a number of best practices that addressed the specific needs of unaccompanied migrant children and adolescents. It was emphasized that the international community should make every effort to uphold their human rights, and to ensure that specific protection interventions were put in place. Participants stressed that all such efforts should be reflected in the global compact for safe, orderly and regular migration, which should also be seen as an opportunity to develop robust, tangible and measurable commitments to upholding the human rights and fundamental freedoms of all migrant children, regardless of their status.

C. Responses and concluding remarks

39. During and after the interactive discussion, the Director of the Thematic Engagement, Special Procedures and Right to Development Division of OHCHR, in her capacity as moderator, gave panellists the opportunity to respond to questions and to make concluding remarks. She observed that there was a common concern among States

regarding the vulnerability of unaccompanied migrant children and adolescents and the human rights violations that they faced during their migratory journey. She stated that a lot of different words had been used to describe the situation of migrant children, but in the end the fact remained that they were children first and foremost, regardless of their legal category, their migration status or any other factor. She stressed that that fact had emerged strongly in the panel discussion. The protection of the child's best interests had to be a primary consideration that prevailed over migration management objectives, or other administrative considerations, and should be the guiding principle in establishing policy frameworks or public policies that affected children, including in the context of the appointment of guardians, age assessment, immigration detention, returns, access to basic services and family reunification. The principle of non-discrimination should similarly underpin all measures that affected migrant children and adolescents including education policies, migration border control measures and family reunification. A robust gender analysis of the differential impacts of migration policies and programmes on migrant children of all genders was also essential. A holistic and comprehensive approach constituted a key element of the survival, growth and development of migrant children, including the physical, mental, moral, spiritual and social dimensions of their development. The use of detention, even for short periods, could be extremely detrimental to their physical and mental health. The testimony of Mr. Hassanpour had underlined the importance of listening to migrant children's voices and of learning from their experiences. States should, thus, take measures to ensure the right of migrant children to be heard and their participation in decisions affecting them.

40. Mr. Mezmur stressed that the principle of the best interests of the child should be considered as a procedural right that needed to guide all relevant polices. In a number of instances, there had been a lack of emphasis on primary prevention. Exploitation risks were often exacerbated during the age assessment processes at borders. The provision of effective campaigns to address discrimination and hate speech against migrants, including children, and to facilitate their access to health services and education, was essential. Likewise, migrants, and particularly migrant children, should be granted residence status. In that way, they were more likely to be protected from serious human rights violations, including in the context of a lack of decent work in informal and unregulated sectors such as agriculture and mining. It was crucial to abandon the current numbers-driven approach to return procedures, and to put in place measures that responded to the reasons why children were migrating in the first place. That would help in protecting migrant children from having to move on ever more dangerous routes. Unfortunately, the acceleration of returns had been done at a high cost, particularly to the lives and rights of children on the move. In concluding, Mr. Mezmur highlighted the significant role played by regional organizations such as the Economic Community of West African States, which had developed promising practices for the identification of children on the move.

41. Ms. Carletti addressed States' efforts in regard to the global compact, suggesting that protection for unaccompanied children could be increased though domestic initiatives and legislation. She gave the example of the Italian action plan that provided for the creation of shelters for unaccompanied minors. Primary assistance, screening and other steps were guaranteed at those locations, and all relevant information was included in a designated system. Regarding how to strengthen migrant children's rights, she mentioned some key areas, such as guardianship systems and family tracing mechanisms. She also stated that training and education institutions were essential in allowing children to fully enjoy their right to access to education. Facilitating education avenues for children was crucial to facilitating their entrance in the labour market. Such measures and policies had been adopted in Italy, a country that had faced a massive influx of unaccompanied migrants in recent years.

42. Mr. Melandri stressed the need for commitments to be translated into action. Even though the Convention on the Rights of the Child was the most ratified human rights instrument, the problem lay in its implementation at national level. The Convention concerned all children in a country, regardless of their status. The main issue was to implement, update and upgrade national legislative frameworks and ensure that they reflected the components of the Convention. Children were holders of rights that all Member States had acknowledged and accepted through their ratification of international

instruments. The global compact process would likely be a non-binding and States-led process, however it was very important to continue to involve civil society and their expertise. On the issue raised by Portugal regarding transition from education to the labour market, UNICEF was of the opinion that the education system was the best way to integrate migrant children into the host society.

43. Mr. Okafor said that the law on its own could not effect social change, hence practical measures were necessary in order to increase the human rights protection of unaccompanied migrant children and adolescents. He also identified the need for alternative migration pathways, which would be credible and realistic and would ease the pressure on irregular routes. Migration-related problems could not be disassociated from economic and social considerations, which lay at the heart of the decision of people to migrate. Accordingly, socioeconomic policies should accompany the policies instituted in the domain of migration. Finally, Mr. Okafor stressed that the global compact should encompass the possibility of setting an educational policy. Language training and education were essential means for migrants' integration into the job market.

44. Mr. Hassanpour, assisted by Ms. Giannikopoulou, recalled that upon his arrival in Greece, in 2005, he had spent some time in a detention centre for unaccompanied children. Since 2005, there had been many changes regarding unaccompanied children. Nowadays there were more services, but at the same time, the number of unaccompanied children had increased. Moreover, there were not enough people with specialist skills working for the protection of unaccompanied children, such as interpreters and psychologists. There were also no programmes for social inclusion and integration, and as such, the streets of Athens were filled with unaccompanied and separated children on the move. Mr. Hassanpour welcomed the fact that all speakers had referred to laws regarding the protection of children, especially unaccompanied children. However, he went on to underline the importance of implementing such laws and making them real in practice. The most dangerous part of his migratory experience had been the journey. The international community should find solutions so that unaccompanied children did not have to travel in such perilous ways. Either they should be safe in their own countries, or they should be able to find safe and legal ways to migrate. The money that currently went to smugglers could go towards visas or travel documents instead. States should cover unaccompanied migrant children's and adolescents' needs, especially their educational needs. Being able to live a healthy and productive life was the key to the integration, well-being and dignity of unaccompanied migrant children and adolescents.